

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Yasuhiko (nmi) Aoki et al.
Serial No.: 10/627,548
Filing Date: July 25, 2003
Group Art Unit: 2613
Confirmation No.: 3535
Examiner: Christina Y. Leung
Title: SYSTEM AND METHOD FOR COMMUNICATING
OPTICAL TRAFFIC BETWEEN RING NETWORKS

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTRONICALLY FILED
WITH THE USPTO ON
July 16, 2008

Dear Sir:

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Appellants have appealed to the Board of Patent Appeals and Interferences from the decision of the Examiner transmitted on January 2, 2008, finally rejecting Claims 1, 3-9, 11 and 13-19. Appellants filed a Notice of Appeal on April 1, 2008 and an Appeal Brief on June 2, 2008.

On June 18, 2008, the Patent Office mailed a Notification of Non-Compliant Appeal Brief (the "Notice") indicating that the Appeal Brief does not provide the status of all the claims filed in the application. The Notice indicates that the entire Appeal Brief does not need to be resubmitted. In response, Appellants submit this Response to Notification of Non-Compliant Appeal Brief with a "Status of Claims" section below that provides the status of all claims filed in the application.

Status of Claims

Claims 1, 3-9, 11 and 13-19 are pending in the Application and stand rejected pursuant to a final Office Action transmitted January 2, 2008 (the "Office Action") and are all presented for appeal. Claims 2, 10, 12, and 20 were previously canceled. All claims presented for appeal are shown in Appendix A to the Appeal Brief.

CONCLUSION

Appellants respectfully submit that they have complied with the provisions of 37 C.F.R. 41.37.

No fee is believed to be due. However, the Commissioner is hereby authorized to charge any fee and to credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,
BAKER BOTTS L.L.P.
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Date: July 16, 2008

CORRESPONDENCE ADDRESS:

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